

## **CHAPTER 33-06-05.2**

### **STUDENTS WITH SIGNIFICANT CONTAGIOUS DISEASES**

#### **Section**

33-06-05.2-01	Student Attendance
33-06-05.2-02	Confidentiality
33-06-05.2-03	Individual Student Needs

**33-06-05.2-01. Student attendance.** No student may be prohibited from attending the institution solely because they have, or they are perceived to have, a significant contagious disease. If the student is well enough to attend the institution, and does not constitute a public health threat, as determined by the decisionmaker, the student must be permitted to attend the institution. If the student is unable to attend regular class instruction or requires special consideration, then special provisions or individualized education programs must be provided for the student.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 15-34.1-03, 23-01-03, 23-07-16, 23-07-16.1

**33-06-05.2-02. Confidentiality.** Unless disclosed by the affected person, their parent or guardian, or their personal physician, no individual may be informed of an affected individual's infection. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 23-01-03, 23-07-16, 23-07-16.1

**33-06-05.2-03. Individual student needs.** If an affected student is unable to participate in regular classroom instruction, either reasonable accommodations, special provisions, or an individualized education program will be provided.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 15-47-38, 23-01-03, 23-07-16, 23-07-16.1